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TO: Petitions to Make Special
USPTO FACSIMILE NO.: (703) 872-9306
USPTO REFERENCE: Applicant: Frank J. Hodges, et al.
Serial No.: 10/829,631
Filed: April 22, 2004
Title: TIRE WITH EXTENDED FLANGE SEAT
ATTORNEY: Paul N. Conover
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DATE: December 1, 2004

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Petition to Make Special for New Application Under 37 C.F.R. s 1.102 and
M.P.E.P. s 708.02(VIII)

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Frank J. Hodges, et al.
Appl. No. : 10/829,631
Filed : 22 April 2004
For : TIRE WITH EXTENDED
FLANGE SEAT
Examiner : A. C. Johnstone
Group Art Unit : 1733

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Paul N. Conover, Reg. No. 44,087

PETITION TO MAKE SPECIAL FOR NEW APPLICATION
UNDER 37 C.F.R. § 1.102 AND M.P.E.P. § 708.02(VIII)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.102 and M.P.E.P. § 708.02(VIII), Applicants hereby petition to make the present Application special in order to advance its examination in the Patent and Trademark Office. A check for payment of the fee of \$130 under 37 C.F.R. § 1.17(i) is enclosed. Please charge any additional fees or credit any overpayment to Deposit Account No. 11-1410.

The claims of the Application are believed to be directed to a single invention. However, if a restriction requirement is deemed necessary, Applicants respectfully request that prompt telephone notice be given to Applicants' undersigned counsel, at which time Applicants will make an election without traverse. A pre-examination search was conducted in the following classes and subclasses: 152/151, 345.1, 375, 378R, 378W, 379.4, 379.5, 380, 381.3, 381.4, 382, 394, 397.5, 411, 454, 456, 523, 544, DIG. 6, DIG. 7, DIG. 9, DIG. 12, DIG. 15, DIG. 17, DIG. 18, DIG. 20; 301/8, 5.1, 5.23, 35.1, 36.3, 37.1, 37.22, 37.23, 37.27, 37.28, 37.33, 37.36, 37.43, 39.1, 40.3, 40.5, 40.6, 52, 63.1, 65, 67, 95, 96, 97; D12/134, 135, 204, 205, 206, 207, 208, 210, 213; and D21/563. Applicants submit with this Petition a copy of each reference deemed most closely related to the subject matter encompassed by the claims.

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DISCUSSION OF THE REFERENCES

The following discussion of the references points out certain differences between each of the independent claims and the references. There are additional differences not expressly mentioned herein. Applicants have not specifically referred to the dependent claims because each dependent claim includes all of the limitations of its associated independent claim. Thus, the described differences between the prior art and an independent claim also apply to those claims that depend from it.

U.S. Patent No. 1,757,275 To Halteren

The Halteren patent is directed to a steel "felly" mounted within the barrel of a wheel through which the wooden spokes of the wheel pass. The inboard and outboard lips of the wheel are approximately the same size. The inboard lip extends radially outwardly, and the outboard lip extends radially inwardly. See Figure 4. The outboard lip has a smooth surface. Furthermore, the '275 patent does not disclose a tire.

Thus, the Halteren patent fails to disclose or suggest at least the following limitations of the claims: "an inboard tire wall" and "an outboard tire wall" as recited in Claim 1; "an outboard tire wall, an inboard tire wall," as recited in Claim 19; and "an outboard tire wall" as recited in Claim 31.

U.S. Patent No. 1,830,879 to Michelin

The Michelin patent is directed to a train wheel and tire. The outer surfaces of the tire walls are curved and smooth. The Michelin patent fails to disclose or suggest at least the following limitations of the claims: a substantially horizontal ledge" and a "flange seat being configured to receive a wheel flange for creating the appearance of a larger diameter wheel mounted within a low-profile tire" as recited in Claim 1; "wherein the width of the flange seat is between about one-quarter and about one-half as large as the width of the outboard tire wall, the flange seat being configured to receive a flange with an outboard face attached to a wheel mounted within the tire without obscuring the outboard face of the flange" as recited in Claim 19; and "wherein at least a portion of the outboard tire wall in a region positioned radially outwardly from the flange seat extends further in the outboard direction than any portion of the tire wall in the flange seat" as recited in Claim 31.

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U.S. Patent No. 1,936,877 To La Brie

The La Brie patent is directed to a wheel with a "prolonged flange" for "reducing the drop upon deflation of the tire carried on the rim" and for "provide[ing] a brake drum" on the inboard side of the wheel. See column 1, lines 4-27. The outer lip has a smooth surface. Furthermore, the La Brie patent discloses a generic tire mounted on the disclosed wheel. The generic tire has no structure to accommodate an extended wheel flange.

Thus, the La Brie patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having a ... flange seat" as recited in Claim 1; and "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,027,739 to Ledwinka

The Ledwinka patent is directed to a train wheel and tire. The Ledwinka tire does not appear to have either inboard or outboard beads as are customary in automotive tires. The Ledwinka tire also does not appear to be configured to receive an extended flange.

Thus, the Ledwinka patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having a bead, a wheel protector and a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,028,702 To Hale

The Hale patent is directed to a wheel wherein the inboard diameter is larger than the outboard diameter to accommodate a "break drum." See column 1, lines 19-27; Figure 2. The outer surfaces of the tire wall are smooth.

Thus, the Hale patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having a ... flange seat" as recited in Claim 1; and "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,028,707 To Smith

The Smith patent is directed to a train wheel and tire. The wheel has a large plate entirely covering one of the sidewalls of the tire. The tire appears to be conventional.

The La Brie patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having a ... flange seat" as recited in Claim 1; and "a flange

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seat formed on at least the outboard tire wall” as recited in Claim 19; and “an outboard tire wall with a flange seat” as recited in Claim 31.

U.S. Patent No. 2,108,329 To Carter

The Carter patent is directed to a wheel wherein the inboard and outboard lips have “substantially different diameters.” Column 1, lines 50–51. The larger diameter lip is preferably towards the vehicle on which the wheel rim is used, that is, on the inside portion of the rim ...” See column 1, lines 51–53; Figures 1 and 2. The goal of the wheel is to achieve greater safety and a tighter seal. See column 1, line 21– column 3, line 38. The outboard tire wall 18, 18a has a smooth surface. See Figures 1 and 2.

Thus, the Carter patents fails to disclose or suggest at least the following limitations of the claims: “an outboard tire wall having ... a flange seat” as recited in Claim 1; “a flange seat formed on at least the outboard tire wall” As recited in Claim 19; and “an outboard tire wall with a flange seat” as recited in Claim 31.

U.S. Patent No. 2,115,092 To Weinberg

The Weinberg patent is directed to a wheel with a large-diameter outer flange to prevent tire theft. See column 1, lines 1-5, column 3, lines 61–70. The outer flange has a narrow lip formed along the outer diameter of the flange and a smooth undulated outward surface of concentric circles of the type described in the background section of the present application. See Figure 2 of Weinberg; application at p. 2, & 4. The tire 30 disclosed in the Weinberg patent has no structure to accommodate an extended wheel flange. See Figure 1.

Thus, the Weinberg patent fails to disclose or suggest at least the following limitations of the claims: “an outboard tire wall having ... a flange seat” as recited in Claim 1; “a flange seat formed on at least the outboard tire wall” as recited in Claim 19; and “an outboard tire wall with a flange seat” as recited in Claim 31.

U.S. Patent No. 2,203,774 To Cornelissen

The Cornelissen patent is directed to a wheel with a non-integral structure bolted to the inboard side of the wheel to provide “improved ventilating” for the “breaking mechanism” and to support the wheel when the tire is deflated. See column 1, lines 4–24. The tire disclosed by the Cornelissen patent has no structure to accommodate an extended wheel flange in outer side walls 21. See Figs. 2, 3, 5, 8, and 9.

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Thus, the Cornelissen patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,209,967 To Golod

The Golod patent is directed to a wheel of a detachable plate on its outboard side. See column 3, lines 55-60. A non-integral lateral rim 36 may also be detachably fastened by a series of screws to the outer wall of the plate to prevent damage to the remainder of the wheel upon impact with the curb. See column 3, lines 61-67. The tires disclosed in the Golod patent are conventional, with smooth sides. See Figs. 1 and 3.

Thus, the Golod patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,214,023 To Kaura

The Kaura patent is directed to a tire guard with a smooth outer peripheral surface partially covering the tire. The tire disclosed by the Kaura patent is a conventional tire with no structure to accommodate an extended wheel flange.

Thus, the Kaura patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,347,622 To Tschanz

The Tschanz patent is directed to a wheel wherein "the inner peripheral portion of the tire rim [is] of greater diameter than the outer portion so that the drop of the wheel upon deflation of the tire is very slight." See column 1, lines 32-35. The outer sidewall of the tire disclosed in the Tschanz patent is smooth. See Figure 2, reference numeral 24.

Thus, the Tschanz patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 2,414,825 To Lyon

The Lyon patent is directed to a cover assembly for a wheel. The cover disclosed in the Lyon patent is a conventional tire with smooth sidewalls.

Thus, the Lyon patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,444,052 To Lyon

The Lyon patent is directed to a cover assembly for a wheel. The cover disclosed in the Lyon patent is a conventional tire with smooth sidewalls.

Thus, the Lyon patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,440,804 To Lyon

The Lyon patent is directed to a wheel with inner and outer edge portions 16 having approximately the same diameter. See Fig. 1. The wheel includes a cover member 29 designed to give the impression that the tire (not the wheel) is larger and has white sidewalls. See, e.g., column 3, lines 57-64. In Figures 1, 3, and 4, a radially inwardly directed lip obscures the outer periphery of the cover member 29. In Figure 6, the cover member 29 is "cemented or otherwise suitable secured to the outer face of the side wall of the tire whereby it is retained in the position shown in Figure 6." See column 6, lines 15-19. In Figure 8, the cover member 46 is "molded integrally with the tire 17." See column 6, line 65.

Thus, the Lyon patent fails to disclose or suggest at least the following limitations of the claims: a "flange seat being configured to receive a wheel flange for creating the appearance of a larger diameter wheel mounted within a low-profile tire" as recited in Claim 1; a "flange seat being configured to receive a flange with an outboard face attached to a wheel mounted within the tire without obscuring the outboard face of the flange" as recited in Claim 19; and "a tire for enhancing the simulated appearance of a large-diameter wheel mounted within a low-profile tire" and as recited in Claim 31.

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U.S. Patent No. 2,488,864 To Handy

The Handy patent is directed to a wheel assembly with a non-integral "shield" that is "held in place by a 'split locking ring.'" See column 3, lines 67-71. The shield has a small curved surface with an upturned outer lip of the type described in the background section of the present application. See Figures 1-4 of Handy; application at p. 1-2. The tire disclosed in the Handy patent is a conventional tire with smooth sidewalls.

Thus, the Handy patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,553,891 To Brosick

The Brosick patent is directed to a wheel to "reduce the drop upon the fashion of the tire on the rim." See column 1, lines 33-34. One side of the rim, shown in the figures as the inboard side, has a larger diameter than the other side. See column 3, lines 36 - column 4, line 7. The outboard lip has a non-integral "removable tire-retaining flange 17 . . ." Column 2, lines 32-33. The tire disclosed in the Brosick patent is a conventional tire with no structure to accommodate an extended wheel flange.

Thus, the Brosick patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,621,979 To Barnes

The Barnes patent is directed to a "trim member" inserted between a tire bead and the wheel lip that extends along the tire wall to simulate the appearance of white-wall tires. See column 1, lines 3-13. The trim member is not part of the wheel and has a smooth surface. The trim member is not part of the tire either. The tire disclosed in the Barnes patent is a conventional tire with no structure to accommodate an extended wheel flange.

Thus, the Barnes patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 2,682,431 to Dovberg

The Dovberg patent is directed to a wheel with one side having a larger diameter than the other side. Both sides of the wheels have smooth, curved surfaces. See Figures. 1-4. The tire disclosed in the Dovberg patent is a conventional tire with smooth sidewalls.

Thus, the Dovberg patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,854,052 To Smith

The Smith patent is directed to an assembly for a wheel in a solid rubber tire. The inner and outer lips of the wheel are approximately the same size. Under overloading conditions, the tire may be compressed such that it does not extend beyond the height of the inner and outer lips. See, e.g., column 3, lines 19-25; Figure 8.

Thus, the Smith patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 2,963,326 To Wood

The Wood patent is directed to "tire trim of the type employed to ornamentally trim the sidewalls of black automobile tires to provide a white or other colored sidewall tire effect." See column 1, lines 15-18. The tire disclosed by the Wood patent is configured to cooperate with the ornamental tire trim. See Figures 1 and 2.

The Wood patent fails to disclose or suggest at least the following limitations of the claims: "a substantially horizontal ledge" and a "flange seat being configured to receive a wheel flange for creating the appearance of a larger diameter wheel mounted within a low-profile tire" as recited in Claim 1; a "flange seat being configured to receive a flange with an outboard face attached to a wheel mounted within the tire without obscuring the outboard face of the flange" as recited in Claim 19; and "wherein at least a portion of the outboard tire wall in a region positioned radially outwardly from the flange seat extends further in the outboard direction than any portion of the tire wall in the flange seat" as recited in Claim 31.

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U.S. Patent No. 3,208,798 To Peters

The Peters patent is directed to a "safety wheel" with a non-integral complement bolted to the inner portion of the central hub. The inboard and outboard "tire bead retaining" flanges are approximately the same size. See Figures 4 and 5 (component No. 24 and corresponding component on the opposite side). The tire disclosed in the Peters patent is a conventional tire with smooth sidewalls.

Thus, the Peters patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 3,381,353 To Lemmerz

The Lemmerz patent is directed to a method of making a tire rim. The rim has a larger diameter on one side than the other. Both lips on the tire have smooth outboard surfaces. The Lemmerz patent discloses no special configuration of tire.

Thus, the Lemmerz patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 3,842,882 To Gough

The Gough patent is directed to a tire with sidewalls of unequal length. The wheel illustrated in the Gough patent has inboard and outboard lips of approximately the same height. The wall of the barrel in the wheel is uneven so that it produced a different diameter on each side of the wheel. The inboard diameter is larger than the outboard diameter. See column 2, lines 34-38. The tire disclosed by the Gough patent has no structure to accommodate an extended wheel flange. See Figure 1.

Thus, the Gough patent fails to disclose or suggest at least the following limitations of the claims: "the widths of the outboard and inboard tire walls being approximately the same" and "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" and "the distance between the tread and the inner diameter of the outboard tire wall being about the same as the distance between the tread and the inner diameter

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of the inboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 3,857,429 To Edwards

The Edwards patent is directed to a pneumatic tire provided with beads each shaped to have heel and toe portions. See Figures 4-15. The sidewalls of the tires disclosed by the Edwards patent are smooth.

Thus, the Edwards patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 3,865,170 To Mitchell

The Mitchell patent is directed to a two-part wheel assembly and sealing ring. The patent discloses a wheel for use with conventional pneumatic tires. See Figures 1 and 3.

Thus, the Mitchell patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 3,974,870 To Watts

The Watts patent is directed to a tire with sidewalls of unequal length. The wheel illustrated in the Watts patent has inboard and outboard lips of approximately the same width and the surface of the lips are smooth. See Figure 1 (Component 19 and 20). The wall of the barrel in the wheel is uneven so it will produce a different diameter on each side of the wheel. The tire disclosed in the Watts patent has no structure to accommodate an extended wheel flange. See Figure 1.

Thus, the Watts patent fails to disclose or suggest at least the following limitations of the claims: "the widths of the outboard and inboard tire walls being approximately the same" and "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" and "the distance between the tread and the inner diameter of the outboard tire wall being about the same as the distance between the tread and the inner diameter of the inboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 3,999,588 To Mitchell

The Mitchell patent is directed to a split rim assembly, the one-half upper rim being furnished with both bead seating portions. The tire disclosed in the Mitchell patent has no structure to accommodate an extended wheel flange. See Figures 1 and 2.

Thus, the Mitchell patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,124,679 To DeWitt

The DeWitt patent is directed to a method of building a tire with unequal bead diameters to be mounted on a wheel with an uneven barrel wall. The wheel illustrated in the DeWitt patent have inboard and outboard lips of approximately the same width and the surfaces of the lips are sealed. See Figure 1 (Components 19 and 20). The outer walls of the DeWitt tire are smooth. See Figures 1-3.

Thus, the DeWitt patent fails to disclose or suggest at least the following limitations of the claims: "the widths of the outboard and inboard tire walls being approximately the same" and "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" and "the distance between the tread and the inner diameter of the outboard tire wall being about the same as the distance between the tread and the inner diameter of the inboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,153,302 To Bass

The Bass patent is directed to a "motor vehicle safety wheel." The wheel includes an enlarged flange on one side. See Figures 1-3 of Bass. The tire disclosed in the Bass patent is a conventional tire with smooth sides. See Figures 1 and 3.

Thus, the Bass patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 4,316,637 To Reynolds

The Reynolds patent is directed to a composite aluminum wheel for use with a pneumatic tire. The Reynolds patent does not disclose a specific tire configuration.

Thus, the Reynolds patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,365,659 To Yoshida

The Yoshida patent discloses a pneumatic safety tire. This reference was discussed in the remarks filed with the present application. The Yoshida patent was the subject of an office action in a related case as discussed in the remarks. The Yoshida tire is installed on a conventional wheel rim, and has a curved outer surface with a step-up near the outer periphery of the tire wall. The Yoshida patent does not contemplate creating the appearance of a larger-diameter wheel mounted within a low-profile tire.

Thus, the Yoshida patent fails to disclose or suggest at least the following limitations of the claims: "a substantially horizontal ledge" and a "flange seat being configured to receive a wheel flange for creating the appearance of a larger diameter wheel mounted within a low-profile tire" as recited in Claim 1; "wherein the width of the flange seat is between about one-quarter and about one-half as large as the width of the outboard tire wall, the flange seat being configured to receive a flange with an outboard face attached to a wheel mounted within the tire without obscuring the outboard face of the flange" as recited in Claim 19; and "wherein at least a portion of the outboard tire wall in a region positioned radially outwardly from the flange seat extends further in the outboard direction than any portion of the tire wall in the flange seat" as recited in Claim 31.

U.S. Patent No. 4,466,670 To Kaji

The Kaji patent is directed to a three-piece wheel for vehicle tires. The patent does not disclose any particular tire configuration.

Thus, the Kaji patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 4,486,259 To Irie

The Irie patent is directed to a bead lock device. The patent does not disclose any particular tire configuration.

Thus, the Irie fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,533,183 To Gant

The Gant patent is directed to assemblies for protecting military vehicles from "enemy small arms fire." See column 1, lines 11-13. The wheel includes an extended outer wall 26 with a smooth outer surface, having no structure to accommodate an extended wheel flange. That surface has no structure to accommodate an extended wheel flange. See, e.g., Figure 2. See column 3, lines 62 and 63. The patent also describes a possible use for the invention with folding tires. See Figures 7 and 8. The wheels disclosed by the Gant patent are conventional and have no structure to accommodate an extended wheel flange.

Thus, the Gant patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,674,549 to Bush

The Bush patent is directed to a wheel with a bead lock device. The patent appears to show a conventional type of tire.

Thus, the Bush patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,709,738 to Goodell

The Goodell patent is directed to a bead lock for pneumatic tires. The Goodell patent does not disclose any particular tire configuration.

Thus, the Goodell patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat

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formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,747,440 to Holmes

The Holmes patent is directed to a bead retention means. The outer walls of the tire disclosed by the Holmes patent are smooth.

Thus, the Holmes patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,770,220 to Mori

The Mori patent is directed to a high-strength three-piece wheel. The patent does not disclose a particular tire configuration.

Thus, the Mori patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,797,987 to Bush

The Bush patent is directed to a method of assembling a bead lock device and pneumatic tire. The patent does not disclose any particular configuration of tire.

Thus, the Bush patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 4,997,235 to Braungart

The Braungart patent is directed to a two-part wheel rim apparatus. The patent does not disclose any particular configuration for the walls of a tire.

Thus, the Braungart patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 5,000,241 to Patecell

The Patecell patent is directed to a unitary bead-lock and run-flap roller support ring for pneumatic tires on two-part wheels. The patent does not disclose any particular tire wall configuration.

Thus, the Patecell patent fails to disclose or suggest at least the following limitations of the claims: d"an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,018,566 to Thoni

The Thoni patent is directed to a multi-part bolted steel rim with an O-ring seal. The patent does not disclose any particular configuration of tire.

Thus, the Thoni patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,092,661 To Meyers

The Meyers patent is directed to a wheel with a "tire lateral support." The wheel includes a rim bead flange "preferably on the inboard side of the wheel." See column 2, lines 42-43. The flange may include large notches 28 or slots 32 through which the prior wall is visible. See Figs. 5 and 9. The tire disclosed by the Meyers patent is a conventional tire with smooth side walls.

Thus, the Meyers patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent 5,273,599 To Adachi

The Adachi patent is directed to a bead lock apparatus and method. The patent does not disclose a particular configuration of a tire.

Thus, the Adachi patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 5,301,728 To Brown, Jr.

The Brown patent is directed to a "dual bead diameter tire." The wheel illustrated in the Brown patent have inboard and outboard lips of approximately the same height. The tire disclosed by the Brown patent has no structure to accommodate an extended wheel flange.

Thus, the Brown patent fails to disclose or suggest at least the following limitations of the claims: "the widths of the outboard and inboard tire walls being approximately the same" and "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" and "the distance between the tread and the inner diameter of the outboard tire wall being about the same as the distance between the tread and the inner diameter of the inboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,350,220 To Atwell, Jr.

The Atwell patent is directed to a vehicle with balanced weights. The patent does not disclose a particular configuration of the tire.

Thus, the Atwell patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,354,405 To Byerley

The Byerley patent is directed to a bead lot drum for use in the manufacture of vehicle tires. The bead lot drum can be used to permit the use of a single drum for making various width tires of a given rim size. The Byerley patent does not disclose a tire with a particular configuration.

Thus, the Byerley patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,429,422 To Baldi

The Baldi patent is directed to a vehicle wheel with a rim offset from the axis rotation. The tire disclosed by the Baldi application has no structure to accommodate an extended wheel flange.

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Thus, the Baldi patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,435,629 To Suzuki

The Suzuki patent is directed to a three-piece wheel with a sealing rim. The patent discloses several configurations of three-piece wheels, but does not disclose a particular configuration for a tire.

Thus, the Suzuki patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,505,803 To Byerley

The Byerley patent is directed to a bead lot drum used in the manufacture of vehicle tires. The patent does not disclose a particular tire configuration.

Thus, the Byerley patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,531,508 To Bell III

The Bell patent is directed to a "tire guard" detachably connected to a wheel. The tire guard is a flat disk which holds near its center through which bolts are passed to secure the guard to the central hub. See Figure 1. The inner and outer lips of the wheel are approximately the same size. See id. The tire disclosed in the Bell patent is a conventional tire with no structure to accommodate an extended wheel flange.

Thus, the Bell patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 5,533,793 To Walker

The Walker patent relates to agricultural wheels for use with row crop planters and grain grills. The Walker patent addresses the "problems associated with unintended soil movement prevalent with present day wheel assemblies used on row crop planters and the grain grills and the problems associated with dirt and filtration between the tires and wheel assemblies." See column 2, lines 15-19. The tire disclosed in the Walker patent includes an offset lip 30 "protruding outwardly from the tire proper." See column 5, lines 5-6; Figure 3. The offset lip 30 does not seat against the wheel, but protrudes freely without seating against anything. Furthermore, the offset lip 30 extends to a diameter that approximately equals the largest diameter of the tire. In addition, the width between the inner diameter and the outer periphery of the outboard tire wall appears to be larger than the width between the inner diameter and the outer periphery of the inboard tire wall.

Thus, the Walker patent fails to disclose or suggest at least the following limitations of the claims: "the widths of the outboard and inboard tire walls being approximately the same" and "a substantially horizontal ledge" as recited in Claim 1; "wherein the width of the flange seat is between about one-quarter and about one-half as large as the width of the outboard tire wall" as recited in Claim 19; and "wherein at least a portion of the outboard tire wall in a region positioned radially outwardly from the flange seat extends further in the outboard direction than any portion of the tire wall in the flange seat" as recited in Claim 31.

U.S. Patent No. 5,591,282 To Weber

The Weber patent is directed to a tire and vehicle system using an asymmetric support member molded to a tire sidewall. The tire disclosed in the Weber patent has no structure to accommodate an extended wheel flange appearing to be inset within the tire.

Thus, the Weber patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 5,620,235 To Janus

The Janus patent is directed to a wheel and tire combination wherein the inboard side of the wheel has an extended flange. See column 3, lines 11-20; column 9, lines 11-14.

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Thus, the Janus patent fails to disclose or suggest at least the following limitations of the claims: "the widths of the outboard and inboard tire walls being approximately the same" and "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" and "the distance between the tread and the inner diameter of the outboard tire wall being about the same as the distance between the tread and the inner diameter of the inboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31..

U.S. Patent No. 6,024,415 To Stach

The Stach patent is directed to a wheel or motor vehicle and a method of making the wheel. The wheel has hollow spokes. The patent does not disclose a particular configuration of a tire.

Thus, the Stach patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 6,109,701 To Budnik

The Budnik patent is directed to a vehicle wheel with a particular configuration of spikes. See Figs. 1, 3 and 4. The patent does not disclose a particular configuration of tire.

Thus, the Budnik patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 6,254,194 To Capouellez

The Capouellez patent is directed to a detachable disk mounted on the outboard side of a wheel to reduce its "thermal signature" in military applications. The inboard lip has a larger diameter than the outboard lip. See Figure 1. The tire disclosed in this patent has no structure to accommodate an extended wheel flange. See Figures 1 and 4.

Thus, the Capouellez patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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U.S. Patent No. 6,257,675 To Leynaert

The Leynaert patent is directed to a hubcap fastened to a wheel so as to prevent relative movement between the hubcap and the wheel in the axial direction, while allowing the hubcap and wheel assembly to rotate relative to the wheel. See column 1, lines 56-59. The tire and wheel assembly disclosed by Leynaert does not resemble a low profile tire mounted on a large diameter wheel.

Thus, the Leynaert patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

Thus, the Leynaert patent fails to disclose or suggest at least the following limitations of the claims: "a substantially horizontal ledge" and a "flange seat being configured to receive a wheel flange for creating the appearance of a larger diameter wheel mounted within a low-profile tire" as recited in Claim 1; "the flange seat being configured to receive a flange with an outboard face attached to a wheel mounted within the tire without obscuring the outboard face of the flange" as recited in Claim 19; and "wherein at least a portion of the outboard tire wall in a region positioned radially outwardly from the flange seat extends further in the outboard direction than any portion of the tire wall in the flange seat" as recited in Claim 31.

U.S. Patent No. 6,315,366 To Post

The Post patent is directed to a multi-piece safety vehicle wheel assembly. The patent does not disclose a particular configuration of tire.

Thus, the Post patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 6,318,428 To Lo

The Lo patent appears to be directed to a bicycle tire that can be used with or without an inner tube. See column 1, line 55 and column 2, lines 32-33. The tire has a rubber seal member 13 that permits the tire to be used without an inner tube. See Figures 3 and 4. The tire has very wide inboard and outboard beads, but no structure to accommodate an extended wheel flange. See, e.g., Figure 4.

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Thus, the Lo patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 6,325,462 To Hummel

The Hummel patent is directed to a motor vehicle wheel having hollow spokes. The patent does not disclose a particular configuration of tire.

Thus, the Hummel patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 6,457,501 To Ball

The Ball patent is directed to a rim with a reduced flange height. The Ball tire has a curved outer surface with a step-up near the outer periphery of the tire wall, and two circular protrusions near the inner diameters of the inboard and outboard tire walls.

The Ball patent fails to disclose or suggest at least the following limitations of the claims: "a substantially horizontal ledge" and a "flange seat being configured to receive a wheel flange for creating the appearance of a larger diameter wheel mounted within a low-profile tire" as recited in Claim 1; "wherein the width of the flange seat is between about one-quarter and about one-half as large as the width of the outboard tire wall, the flange seat being configured to receive a flange with an outboard face attached to a wheel mounted within the tire without obscuring the outboard face of the flange" as recited in Claim 19; and "wherein at least a portion of the outboard tire wall in a region positioned radially outwardly from the flange seat extends further in the outboard direction than any portion of the tire wall in the flange seat" as recited in Claim 31.

U.S. Patent No. 6,527,346 To Chen

The Chen patent is directed to a vehicle wheel with a removable wheel rim. The patent discloses a device sized and shaped to simulate the look of a bead lot vehicle wheel. The patent does not disclose a particular tire configuration.

Thus, the Chen patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat

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formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent No. 6,547,341 To Griffin

The Griffin patent is directed to a wheel with a chemical bond between a disk and a rim. The chemical bond removes a need for a bolt to hold the two rim pieces together. The patent does not disclose a particular configuration of tire.

Thus, the Griffin patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

U.S. Patent Application Publication No. U.S. 2002/0079735 To Hazelwood

The Hazelwood patent is directed to a rim extension device. The device screws on to the outside of a wheel and partially obscures the outer tire wall. See Figure 1. The patent application does not discuss a particular tire configuration. Tire 72 appears to be conventional.

Thus, the Hazelwood patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

PCT Application Publication No. WO 01/08905 To Pompier

The Pompier application is directed to a rim and a supporting element designed to help the wheel run flat. The patent does not disclose a particular configuration of pneumatic tire.

Thus, the Pompier application fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

German Patent No. DE 39 04 804

The '804 patent document is directed to a rim design having an inner diameter greater than the outboard diameter. The patent document does not disclose a particular tire configuration.

Thus, the '804 patent document fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1;

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"a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

European Patent No. 0 587 053

The '053 patent is directed to a rim for wheels having an outer rim flange that extends "further outwards radially from the tire-abutment face than the inner rim flange." See column 5, lines 29-31. The wheel is installed on a conventional tire.

Thus, the '053 patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having a wheel protector and a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

Japanese Patent 07/232507 A

The Japanese application relates to an asymmetrical wheel and tire combination with improved cushioning properties. See, e.g. Paragraph 5. The outboard tire wall of the tire disclosed by the Japanese application is shorter than the inboard tire wall.

Thus, the Japanese application fails to disclose or suggest at least the following limitations of the claims: either "an outboard tire wall having a bead" or "a flange seat," and "the widths of the outboard and inboard tire walls being approximately the same" as recited in Claim 1; "the distance between the tread and the inner diameter of the outboard tire wall being about the same as the distance between the tread and the inner diameter of the inboard tire wall" as recited in Claim 19; and either "an outboard tire wall with a flange seat" or "an outboard bead," and "wherein at least a portion of the outboard tire wall in a region positioned radially outwardly from the flange seat extends further in the outboard direction than any portion of the tire wall in the flange seat" as recited in Claim 31.

U.S. Patent No. 2,410,174 To Lyon

The Lyon patent is directed to a cover assembly for a wheel. The cover disclosed in this patent does not abut the tire. See Figures 2, 3 and 4.

Thus, the Lyon patent fails to disclose or suggest at least the following limitations of the claims: "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

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EP 0 820 884

The '884 patent is directed to an asymmetrical tire. The point of maximum tire diameter is offset to the inboard side of the functioning wheel. See column 2, lines 17-20. The '884 patent does not disclose use with a particular configuration of wheel rim.

Thus, the '884 patent fails to disclose or suggest at least the following limitations of the claims: "the widths of the outboard and inboard tire walls being approximately the same" and "an outboard tire wall having ... a flange seat" as recited in Claim 1; "a flange seat formed on at least the outboard tire wall" and "the distance between the tread and the inner diameter of the outboard tire wall being about the same as the distance between the tread and the inner diameter of the inboard tire wall" as recited in Claim 19; and "an outboard tire wall with a flange seat" as recited in Claim 31.

CONCLUSION

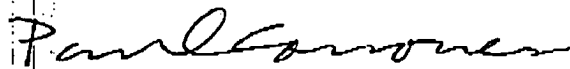
Applicant respectfully submits that all of the requirements under 37 C.F.R. § 1.102 and M.P.E.P. § 708.02 (VIII) have been satisfied to make a present Application special and therefore requests that this Petition be granted. The references do not anticipate or render obvious any of the embodiments of the wheel claimed in the present Application. Accordingly, Applicant respectfully requests expedited allowance of the claims.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12/11/04

By:



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